IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

(1) Contempt Petition No. 81 of 2007
in
Writ Petition No. 2008 of 2006

Badelal Nanku Kori & ors. ..Petitioners

vs.

The Chairman,
The Security Guards Board for
Greater Bombay and Thane District
and others ..Respondents

Mr.Susheel Mahadeshwar i/b Ms.Ranjana Todankar for petitioners.
Ms.Lata Desai i/b Ms.Pallavi Divekar for respondent nos.1 and 2.

(2) Contempt Petition No.82 of 2007
in
Writ Petition No.348 of 2007

Maharashtra Suraksha Rakshak
Aghadi ..Petitioner

vs.

The Security Guards Board for
Greater Bombay and Thane District
and others ...Respondents

Mr.Susheel Mahadeshwar i/b Ms.Ranjana Todankar for petitioners.
Ms.Lata Desai for respondent no.1.
Ms.Khyati Pathak with Mr.Sachin Chandarana i/b M/s Manilal Kher Ambalal and Co. for respondent no.2.

CORAM: S.C.DHARMADHIKARI J
26th September,2007

P.C.

1. The grievance of the petitioners was that in compliance of the order passed by this Court on

17th January, 2007 in Writ Petition No.2008 of 2006, the first respondent Board was to complete the process of registration of security guards and allotting them to the principal employers upon registration.

2. The grievance is that even the registration process was not commenced and concluded expeditiously.

3. On the last occasion when these matters were placed before me, I recorded the statement of Ms.Desai appearing for the first respondent Board that the first respondent shall commence the process in as much as the physical examination will be conducted on 6th September, 2007.

4. Avinash S.Dharkar, Chairman of the Security Guards Board for Greater Bombay and Thane District has filed the affidavit and has contended in paras 8 and 9 of the said affidavit as under:

> "8. I say that on 21.8.2007, the President of the petitioner Union was informed orally to attend the office of the respondent no.2 Board in respect of the registration process of the concerned security guards. However,

as no one attended the office of the Board, the Respondent No.2 Board by its letter dated 3.9.2007, addressed to the President of the petitioner Union, informed him that the concerned security guards should attend the office of the Respondent No.2 Board on 6.09.2007, along with the original documents required for eligibility criteria along with copies thereof and for physical examination.....

9. I say that on 6.9.2007, out of the 16 petitioners, only 12 petitioners attended the office of the Board for physical examination while 4 of the petitioners have failed to report. I say that the said petitioners were examined for their educational qualifications and proof of age, as well as their physical criteria. The said petitioners are now required to submit Medical Fitness Certificate from Government Hospital and Police Verification. For the said purpose the required forms were kept ready by the Board on 12.9.2007 and the same were collected by the petitioners on 14.9.2007. The same are yet to be submitted by the concerned petitioners."

Mr.Mahadeshwar, after taking instructions, states that police verification statements of 12 petitioners and medical fitness certificates will be duly forwarded to first respondent Board. Ms.Desai states that as soon as the same is received the Board will proceed to register the 12 petitioners. She further states that with regard to balance petitioners even if they approach the Board at this stage, the Board will do necessary examination and after satisfying itself with regard to their medical fitness and police verification certificates they would also be registered with the Board.

5. Ms.Desai submits that in the facts of this case, although the affidavit proceeds to allege that the principal employer must also comply with the requirements in law, upon taking instructions, she states that registration of the petitioners as security guards with the Board shall not be kept on hold or in abeyance only because the principal employer has not been registered.

6. In the light of this statement and contents of the affidavit more particularly reproduced above, nothing survives in these contempt petitions and

both the contempt petitions are accordingly disposed of.

(S.C.DHARMADHIKARI J.)